## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

DERRICK SATCHELL, et al.,

No. C 03-02659 SI No. C 03-02878 SI

v.

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Plaintiffs,

FEDEX CORPORATION,

**DENYING** DEFENDA MOTIONS FOR SUMMARY JUDGMENT WITHOUT PREJUDICE TO RENEWAL AFTER PRODUCTION OF DISCOVERY

Defendant.

Defendants have filed motions for summary judgment regarding several of the named plaintiffs in this case; these motions are found at docket # 103 (Valerie Brown), # 105 (Rick Gonzales), # 107 (Kenneth Bernard Stevenson, Sr.), #117 (Kalini Boykin), and #236 (Kelvin Smith). In an order filed March 21, 2005, the Court granted plaintiffs' Rule 56(f) motion and reset the briefing schedule on these motions.

Plaintiffs filed a renewed Rule 56(f) motion [Docket # 315] contending that defendants again failed to comply with various discovery obligations. In two separate orders filed September 7, 2005, the Court addressed all outstanding discovery matters, and on September 16, 2005, the Court granted defendant extensions of time until October 31, 2005 and November 15, 2005 to produce discovery pursuant to the September 7, 2005 orders.

In the interest of managing this litigation, the Court hereby DENIES WITHOUT PREJUDICE defendant's pending motions for summary judgment. Defendant may refile these motions after defendant has produced the discovery that is the subject of the Court's September 7, 2005 orders. When refiling any such motion, defendant may incorporate by reference any previously filed motion or declaration.

## IT IS SO ORDERED.

## United States District Court For the Northern District of California

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